



# California Fair Political Practices Commission

June 2, 1989

Alan L. Edelstein  
1225 8th Street, Suite 570  
Sacramento, CA 95814

Re: Your Request for Advice  
Our File No. A-89-226

Dear Mr. Edelstein:

You have requested advice concerning the lobbyist reporting provisions of the Political Reform Act of 1974 ("the Act").<sup>1</sup> You advised me in a telephone conversation that you are authorized to seek advice on behalf of your associate Grant Kenyon.

## QUESTION

Would you and Grant Kenyon be required to change your registrations as separate lobbying firms if you were to use stationery which referred to yourselves as one entity?

## ANSWER

Referring to yourselves as a single entity on your letterhead does not qualify you and Grant Kenyon as a lobbying firm. The Act does not require any entity which is not a lobbying firm to register as a lobbying firm. However, we believe it would be misleading to the public to advertise yourselves as a single lobbying firm through the use of a combined name. Therefore, we recommend that your stationery include the phrase, "A Lobbying Firm" beside each of your names. In the alternative, if you use the stationery as described in your letter, we recommend that you register as a new firm by filing the Form 601 and indicating that your clients are those registered under your separate lobbying firms.

## FACTS

You and Grant Kenyon are each registered as separate lobbying firms. For some of your clients, Mr. Kenyon has a contract with the clients and you subcontract with Mr. Kenyon to work on those accounts. In other cases, you have both signed contracts with a client to work jointly. You are interested in developing stationery which would identify you and Mr. Kenyon as one entity.

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<sup>1</sup>Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

Alan L. Edelstein  
Page Two

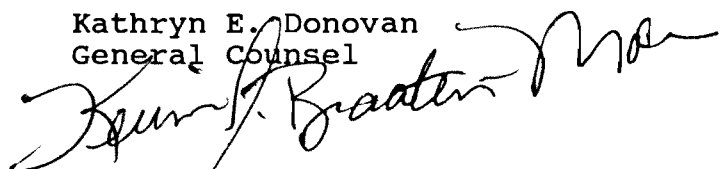
ANALYSIS

Although simply having your names on stationery together does not mean that your business arrangement qualifies as a lobbying firm, as defined by Section 82038.5, we believe it would be misleading to the public if you identify yourselves as a lobbying firm when, in fact, such a firm does not exist. As you are aware, the Political Reform Act was enacted, in part, to provide information to the public on lobbying activity at the state level. Identifying on stationery a lobbying firm which does not exist would confuse this purpose. By registering a joint lobbying firm, or, in the alternative, by clearly indicating on the stationery that you and Mr. Kenyon are individual lobbying firms, the Act's purpose of providing clear public information concerning your and Mr. Kenyon's lobbying activities would be met.

If you have additional questions, please contact me at (916) 322-5662.

Sincerely,

Kathryn E. Donovan  
General Counsel

  
By: Kevin S. Braaten-Moen  
Political Reform Consultant

LAW OFFICES OF  
ALAN L. EDELSTEIN  
1225 8TH STREET, SUITE 570  
SACRAMENTO, CALIFORNIA 95814

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ALAN L. EDELSTEIN

AREA CODE 916  
TELEPHONE 443-6400

JONATHAN R. LIGHTMAN

April 7, 1989

Kevin Braaten-Moen  
Fair Political Practices Commission  
Technical Assistance and Analysis  
Division  
428 J Street, Suite 800  
Sacramento, California 95804

Dear Mr. Braaten-Moen:

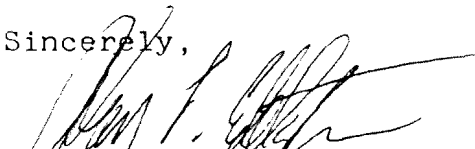
Pursuant to our telephone conversation of April 3, 1989, I am writing to request an opinion regarding registration and reporting requirements for the following fact situation:

Another lobbyist and I lobby together. For some of the clients, he alone has a contract with them and I have a subcontract with him for work on those accounts. We are both registered for those clients. For other clients, we both sign a contract with the client. We have an agreement between ourselves regarding the sharing of those clients. We are both registered on behalf of those clients.

At this time, we each use our own stationery when writing to a legislator regarding a bill. The question for which I am requesting an opinion is whether we would have to change our registrations if we were to use stationery that had both of our names and referred to ourselves as an entity.

Thank you for your attention to this matter.

Sincerely,

  
ALAN L. EDELSTEIN

ALE:kst

04-220

LAW OFFICES OF  
ALAN L. EDELSTEIN  
1225 8TH STREET, SUITE 570  
SACRAMENTO, CALIFORNIA 95814

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ALAN L. EDELSTEIN

AREA CODE 916  
TELEPHONE 443-6400

JONATHAN R. LIGHTMAN

April 7, 1989

Kevin Braaten-Moen  
Fair Political Practices Commission  
Technical Assistance and Analysis  
Division  
428 J Street, Suite 300  
Sacramento, California 95804

Dear Mr. Braaten-Moen:

Pursuant to our telephone conversation of April 3, 1989, I am writing to request an opinion regarding registration and reporting requirements for the following fact situation:

Another lobbyist and I lobby together. For some of the clients, he alone has a contract with them and I have a subcontract with him for work on those accounts. We are both registered for those clients. For other clients, we both sign a contract with the client. We have an agreement between ourselves regarding the sharing of those clients. We are both registered on behalf of those clients.

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Thank you for your attention to this matter.

Sincerely,



ALAN L. EDELSTEIN

ALE:kst



# California Fair Political Practices Commission

April 18, 1989

Alan L. Edelstein  
1225 - 8th Street, Suite 570  
Sacramento, CA 95814

Re: Letter No. 89-226

Dear Mr. Edelstein:

Your letter requesting advice under the Political Reform Act was received on April 12, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

*Jeanne Pritchard*  
Jeanne Pritchard  
Chief Technical Assistance  
and Analysis Division

JP:plh